

Safe Environment Reporting Procedure

First Approved	January 2018
Review Frequency	4 yearly within 12 months of new term of Council or as required
Status	Statutory
Last Reviewed	April 2023 (Resolution Reference: C23124)
Next Review Due	April 2027
File Number	18.87.003 / PC2023149
Responsible Division	Community
Related Documents	Complaints Handling Policy and Procedure Safe Environment Code of Conduct Safe Environment Policy Safe Environment Screening Guidelines Employee and Volunteers Code of Conducts Council Members Behavioural Management Policy
Applicable Legislation	Aged Care Act 1997 Ageing and Adult Safeguarding Act 1995 Ageing and Adult Safeguarding Regulations (SA) 2019 Child Safety (Prohibited Persons) Act 2016 Children and Young People (Safety) Act 2017 Criminal Law Consolidation Act 1935 Disability Services Act 1993 Disability Inclusion Act 2018 WHS Act 2012 South Australian Charter of the Rights and Freedoms of Vulnerable Adults

1. Background

Alexandrina Council acknowledges the importance of being vigilant about creating a safe environment and minimising the risk of harm to children and young people and other vulnerable people in their care.

By demonstrating leadership and ensuring effective policies and procedures are in place, Alexandrina Council has the level of confidence that all steps necessary have been taken to provide a safe environment for children and young people and other vulnerable people for whom they have a legislative responsibility or duty of care.

Through the provision of services, facilities, activities and programs, Council staff, Council Members and volunteers may be in a position to recognise the signs of possible harm or risk of harm and thereby report this suspicion to the relevant authority. In addition to children, other vulnerable people could potentially include:

- Young people
- People with a disability (physical, intellectual or a mental illness)
- the frail aged
- People who experience social disadvantage, for example, some Indigenous Australians, or newly arrived immigrants or refugees.

2. Scope

The Alexandrina Council has developed a Safe Environment Policy, Safe Environment Code of Conduct along with its complaints/grievance procedures.

The Council's Safe Environment Policy requires staff, volunteers, Council Members, consultants and contractors, who work with children and young people or other vulnerable persons in our community to report any suspected harm or risk of harm to the relevant authorities.

If any suspicion of harm or risk of harm to a child or young person, staff holding prescribed position as outlined must notify the Child Abuse Report Line (CARL 13 14 78), however, 000 should be called if there is an immediate risk. Staff who are not mandatory notifiers can also report on moral grounds.

Where Council is involved with other vulnerable persons or groups which are not specifically covered by legislation, good practice and duty of care principles will apply.

3. Suitability Screening

Alexandrina Council has an obligation to obtain information about relevant potential employees, volunteers, contractors or consultants on the basis that the information is deemed relevant in assessing the suitability of a person to work in a child-related area.

The information gathered may include details concerning previous employment and relevant experience, verification of qualifications and professional registration, criminal history information, working with children checks, reference checks and work history reports.

Employees are not required to get a Working with Children Check if they are providing supervision for young persons under the age of 18 years whilst they are a workplace learner as that young person is classified as an employee during their placement.

Further information regarding Council's screening processes can be found in the Safe Environment Screening Guideline.

4. Reporting of Harm or Risk of Harm

Under the Children and Young People (Safety) Act 2017, section 5(a), every person has a responsibility to report any suspicion of harm or risk of harm of children and young people.

However, it is an expectation of Alexandrina Council that an incumbent who holds a prescribed position must report any suspicion of harm or risk of harm of a child to the Department for Child Protection Child Abuse Report Line on 13 14 78 or online electronic notification through E-CARL at <https://www.childprotection.sa.gov.au>

If the report is serious in nature phone the hotline - do not use E-CARL.

In all emergency situations, please also call 000.

A prescribed position is:

- A position in which a person works, or is likely to work, with children or young people; or

- Manages a person who provides services to a child or young person, or
- Any other position, or a position of a class, prescribed by the regulations.

Making a report about suspected Child Abuse

Under Section 30 of the Children and Young People (Safety) Act 2017, all staff, contractors, volunteers who wholly or partly provide health, welfare, education, sporting or recreational, childcare or residential services to children or young people on behalf of the Alexandrina Council are required to report suspected child abuse to the Child Abuse Report Line (CARL), as soon as practicable after they form the suspicion.

In addition:

- There is a legal obligation to make a notification of suspected harm or risk of harm Child Abuse Report Line (CARL) if, on reasonable grounds, there is a belief that a child is in need of protection.
- Reports must be made without delay.
- There is a requirement to make a report each time there appears to be any further grounds for this belief.
- There is no requirement of the reporting person to prove the abuse has occurred.
- Mandatory reporting requirements take precedence over professional codes of practice where confidentiality or client privilege is claimed.

The person at the Child Abuse Report Line will ask for certain information including but not limited to:

- Details - the child or young person's name, age and address
- Indicators of harm – the reason for believing that the injury or behaviour is the result of abuse or neglect
- Reason for reporting – the reason why the call is being made now
- Safety assessment – assessment of immediate danger to the child or children
- Description – description of injury or behaviour observed
- Child's whereabouts – the current whereabouts of the child or young person
- Other services – knowledge of other services involved with the family
- Family information – if there are any other details about the family
- Cultural characteristics – any specific cultural or other details which will help to care for the child.

Electronic notifications can be done through E-CARL at
<https://www.childprotection.sa.gov.au>

Making a report about suspected Vulnerable Person Abuse

Alexandrina Council has extended the definition of a prescribed position to include one that involves provision of service to the aged or other vulnerable people.

In considering the most effective response that will ensure a vulnerable person's safety and wellbeing, the person reporting will need to gather information and facts. Consultation with a Manager or an appropriately trained Council Employee in order to receive support and/or advice may be required. It would be prudent to:

- make written notes – record what is observed

- continue to monitor – record what is observed
- consult and/or request support with colleagues, supervisors and/or the Safety Contact Officer
- develop action plans based on procedures.

Assistance may also be sought in helping the vulnerable person by engaging with other agencies, such as the Adult Safeguarding Unit (SA Health) or SAPOL. In any emergency situation, please call 000.

Aged Care and Home and Community Care Services

Where there are concerns of abuse or harm to the aged or vulnerable, calls can be made to Adult Safeguarding Unit on 1800 372 310 Monday to Friday.

Trained staff can also provide free, confidential, culturally sensitive advice as well as taking reports of actual or suspected abuse of an adult who may be vulnerable.

Email enquires can be sent to adultsafeguardingunit@sa.gov.au

Reports to the Unit can also be done through their website - sahealth.sa.gov.au and following the links to the Adult Safeguarding Unit.

Disability Services

The National Disability Abuse and Neglect Hotline is an Australia wide telephone service for reporting the abuse or neglect of people with disability. The hotline works with caller to find appropriate ways of dealing with reports.

Phone the hotline on 1800 880 052 from 8.00 am to 8.00 pm every day. Emails can be sent to hotline@workfocus.com

South Australia's Adult Safeguarding Unit responds to reports of abuse of adults living with a disability as well as elder abuse.

The disability can be intellectual, psychiatric, cognitive, neurological, or an episodic nature, sensory or physical impairment or a combination.

Reports about actual or suspected abuse, or neglect of adults who may be at risk of abuse, as well as free confidential advice and support can be done by phoning 1800 372 310 Monday to Friday 9.00am to 5.00pm. Email enquires can be sent to adultsafeguardingunit@sa.gov.au

5. Roles and Responsibilities

Alexandrina Council is responsible for development of the Safe Environment Policy and in conjunction with the Chief Executive Officer for:

- safeguarding children and other vulnerable people.
- responding promptly to advice received from the Chief Executive Officer or other sources concerning significant changes to relevant legislation and regulations.
- regularly reviewing the effectiveness of the policy.

Council Members have individual responsibility for appropriate behaviour towards children and young people and other vulnerable people, and for knowledge of and compliance with the Safe Environment Policy and Safe Environment Code of Conduct.

The **Chief Executive Officer** is accountable to Council and responsible as follows.

- Ensuring the Safe Environment Policy and Safe Environment Code of Conduct are implemented, monitored, reported on and evaluated
- Being aware of mandatory reporting requirements, Procedures, and associated legal responsibilities
- Ensuring significant changes to relevant legislation are brought to the attention of Council in a timely manner.

Managers and supervisors (paid and voluntary) are accountable to the Chief Executive Officer as follows:

- Recruitment and selection in accordance with Council's Human Resources Policies and Procedures and requirements for National Police Certificate, Working with Children Checks, or aged/vulnerable people screening of existing employees and preferred applicants for prescribed positions.
- Effective implementation of the Safe Environment Policy, Safe Environment Reporting Procedures, Safe Environment Code of Conduct and safe workplace practices.
- Being aware of and promoting acceptable behaviour when dealing with children and other vulnerable people.
- Providing appropriate induction and on-going training as required in relation to the Safe Environment Policy and Safe Environment Code of Conduct.
- Establishing and maintaining supportive procedures for fulfilling mandatory notification requirements and ensure staff occupied prescribed positions understand their legal responsibilities.
- Reporting any reasonable suspicion of harm or risk of harm of a child to the Child Abuse Report Line (Note: it is the responsibility of staff to report their suspicion, not their supervisors or managers).
- Supporting staff and responding to enquiries regarding suspicions of abuse or related issues, maintaining appropriate records and ensuring records are securely stored.
- Maintaining confidentiality and fully cooperating with the Department for Child Protection, the South Australian Police and other relevant government agencies in their investigations of suspected abuse of a child or other vulnerable person, if required.
- Report annually to the Chief Executive Officer on implementation, monitoring and review the Policy, Code of Conduct and relevant training, services, programs, and workplace practices.

Prescribed Officers as described in section 30 of the *Children and Young People (Safety) Act 2017* are required to notify the Department for Child Protection if they suspect, on reasonable grounds, that a child is being harmed or at risk of harm and the suspicion is formed in the course of their work (paid or voluntary) or in carrying out official duties whether they are listed as a prescribed position or not.

Prescribed Officers are encouraged to seek advice and support from their supervisor or, manager after they have made a notification to the Child Abuse Report Line. This practice will ensure staff and volunteers are appropriately supported, records are kept correctly, confidentially and securely, and any organisation responsibilities in addition to the mandatory reporting obligation are pursued where relevant.

All staff are responsible for understanding and complying with the Safe Environment Policy and Safe Environment Code of Conduct. Staff are to promote acceptable behaviour when dealing with children, young people and other vulnerable persons.

Staff are to actively participate in training and development opportunities on an ongoing basis.

6.1 Risk Management Strategy

Council will identify and assess potential sources of harm and take steps to decrease the likelihood that harm will occur to children, young people and other vulnerable people who use our services. Areas of risk assessment will include human resources, activities and programs, record keeping, physical spaces, online services and organisational culture.

Identified risks shall be included in the organisation's risk management policy and processes. This includes risks in physical and online environments relevant to the services provided by Council, people in contact with children and young people, and any specific vulnerabilities of the children and young people.

All staff dealing with children and young people shall endeavour to reduce the risk of harm to children and young people and identify ways to promote child protective factors in the context of the organisation.

6.2 Code of Conduct

All Council Members and employees must adhere to the Alexandrina Council's Safe Environments Code of Conduct for which specifies standards of care when dealing and interacting with children, young and vulnerable people.

They shall:

- respect that all children and young people or vulnerable persons accessing Council's services have a right to feel and be safe.
- treat all children and young people or vulnerable persons with dignity, equality, and respect.
- be aware and responsive to the particular needs and vulnerabilities of children and young people (such as age, language barriers, developmental capabilities, disability, or mental health).

- ensure clear age-appropriate or developmentally appropriate explanations are provided to children about the consultation and allow them for questions prior to or during the examination or support provision.
- seek the consent of the child or vulnerable person and/or their parents or guardians (where applicable), particularly where treatment requires physical contact.
- be alert to children and young people who may be at risk of harm and report it to the Child Abuse Report Line (CARL on 13 14 78).
- encourage children and young people and vulnerable persons to 'have a say' on issues that impact on their care or support.
- ensure that children and young people and vulnerable persons and their families know their rights and how to access the complaints procedures available to them.
- ensure a physically and socially safe environment for children and young people and vulnerable persons that are free of any identifiable hazards.

The Code is supported by Council's complaints procedures to address breaches of the Code. For more information about these procedures, contact the Governance or Human Resources.

6.3 Recruitment, Selection and Induction of Employees

Council will take all reasonable steps to ensure that it engages the most suitable and appropriate people to work with, and provide services to, children and young people and other vulnerable persons.

Applicants for prescribed positions will be screened for their suitability to provide services. Screening will involve Working with Children checks, interviews, referee reports, checking qualifications and previous employment history in working with children and young people. Staff/volunteers recruited to Council will obtain a current, 'Not Prohibited' Working with Children Check issued by the Screening Unit of the DHS, with results verified by Council's HR team.

All employee and volunteer induction programs shall include orientation to this Policy, Code of Conduct, risk management strategy and mandatory reporting.

All new staff and volunteers will receive a copy of the Safe Environment documents and details of mandatory reporting requirements, relevant reporting agencies and will be guided through the application of these policies and procedures during their induction program.

6.4 Ongoing Training of Employees

Council shall offer continuous development opportunities, training, and refresher training, around safe environment to staff and also provide support in making mandatory notifications and any other reports where required. "Safe Environments for Children and Young People: Through Their Eyes" training will be undertaken within a 3-year period for all prescribed positions and all staff

members will have access to web-based resources about issues concerning child safety and wellbeing.

Council will ensure that employees who work with children and young people or who have access to their personal records have ongoing support and training to develop, enhance and maintain a child safe environment.

Training for staff will be developed to assist with safeguarding vulnerable people, including reporting organisations on online services.

6.5 Recognising and Reporting suspected Harm or Risk of Harm

Employees who provide services wholly or partly for children and young people and/or vulnerable people have a duty to ensure that children and young people and/or vulnerable people be kept safe from harm and risk of harm.

Any person who suspects on reasonable grounds that a child or young person is, or may be, at risk has a moral obligation to report that suspicion.

Prescribed positions within the organisation shall be trained and made aware about their legal obligation to report a reasonable belief that a child has been harmed or is at risk of harm to the Child Abuse Report Line (CARL) on 13 14 78 as soon as practicable or if the child or young person is at immediate risk, report to South Australia Police on 000.

Any failure to report a reasonable suspicion that a child or young person has or is being harmed or is at risk of harm is in breach of the Safe Environments Policy and may result in disciplinary action being initiated against the concerned employee.

While there are no mandatory requirements to report incidents, the organisation will report any harm or suspected risk of harm of vulnerable adults to the Ageing and Adult Safeguarding Unit.

Council will collaborate and consult with other relevant agencies, where possible, in matters concerning the protection of children and young people and vulnerable people from harm and the risk of harm.

7. Review and Evaluation

Within twelve (12) months of each new Council term, Council will review this policy. Following this initial review, the policy will be reviewed annually by Employees with minor administrative adjustments being approved by the Chief Executive Officer.

A new compliance statement will be lodged with the DHS each time the Policy is reviewed/updated.

8. Availability of Policy

This Policy will be available for inspection on the Council's website www.alexandrina.sa.gov.au. Copies of this Policy will also be provided to interested members of the community upon request, and upon payment of a fee in accordance with Council's Schedule of Fees and Charges.

APPENDIX A

Notifications Checklist

1. Identification details	
Family Name	Given Name
Aliases (if known)	
DOB	Age / Year Level
Current Address	
Contact Number	
Indigenous Status <input type="checkbox"/> Aboriginal	<input type="checkbox"/> Torrens Strait Islander
Does the child speak english?	<input type="checkbox"/> Yes <input type="checkbox"/> No
If no, child's preferred language	
Is an interpreter required?	<input type="checkbox"/> Yes <input type="checkbox"/> No
Does the child have a disability?	<input type="checkbox"/> Yes <input type="checkbox"/> No
Parent / Carer Details	
Family Name	Given Name
Aliases (if known)	
Current Address	
Family Name	Given Name
Aliases (if known)	
Current Address	
Child's primary caregiver (name and relations)	
Relevant orders in place (child protection / domestic violence etc) <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unknown. If yes, please specify	

Details of Carers, Siblings, others living at the child's usual residence (if known)		
Name (including aliases)	DOB / Age	Relationship to child
Alleged perpetrator's name	
Age	Relationship to child	
Address of perpetrator		
.....		
Current whereabouts		
.....		
Current whereabouts of child or young person		
.....		
Next contact with alleged perpetrator	

2. Notifier Details	
Family Name	Given Name
Job Title /Role	
Capacity in which you are working with child / young person	
Type of contact you have with the family	
Signature of reporting officer	
Date	

3. Details of Concern

Suspected - ☐ Physical abuse ☐ Emotional abuse ☐ Sexual abuse ☐ Neglect

At risk of - ☐ Physical abuse ☐ Emotional abuse ☐ Sexual abuse ☐ Neglect

Did the child or young person disclose? ☐ Yes ☐ No

What did child or young person say?

What was the emotional presentation?

Who saw / heard what and when

Size and location of any injuries

Description of any bruising

Any other relevant details (give as much detail as possible, if further space required please attach addition pages)

4. Details of contact with CARL

Name of authorised officer reported to

Date reported

Time reported

Reported via ☐ Phone 13 14 78 ☐ E-CARL www.childprotection.sa.gov.au

Copy of report sent:

Child Abuse Report Line ☐

Council CEO ☐

Team Leader/Manager ☐